

**JOINT STAFF REPORT
WINTER FACT SHEET NO. 1
Columbia River Compact
December 19, 2003**

PURPOSE:	Review sturgeon and smelt stock status and consider non-Indian and treaty Indian fishing options.
TAC:	The Technical Advisory Committee (TAC) has reviewed this fact sheet. Copies of the Joint Staff report concerning sturgeon and smelt were provided to the TAC for review prior to being mailed on December 5, 2003.

MANAGEMENT GUIDELINES

Salmon

- A multi-year Management Agreement for upriver spring chinook, summer chinook, and sockeye is in effect.
- All proposed fisheries are included in an ESA Section 7/10 Application that was submitted to the NOAA Fisheries on November 3, 2000 and impacts on listed ESU's by proposed sturgeon and smelt fisheries are expected to be *de minimus*.
- An approved Biological Opinion on the multi-year agreement was received from the NOAA Fisheries.

Sturgeon

- 2004 will be the eighth consecutive year in which a Joint State Agreement is used to guide Columbia River sturgeon fishery management.

Major Tenets of 2003-2005 Sturgeon Fishery Management

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| <ul style="list-style-type: none">✓ Sturgeon fisheries are managed on optimum sustained yield approach which, absent a significant update, results in an annual harvestable number of 40,000 white sturgeon for 2003-2005.✓ The harvestable number is to be allocated 80% (32,000 fish) sport and 20% (8,000 fish) commercial.✓ The plan may be modified in-season if new information suggests a change is warranted.✓ Commercial target seasons are allowed, as necessary, to access allocation and maximize economic benefit consistent with conservation objectives for other species.✓ Green sturgeon-only commercial seasons are not allowed; however, green sturgeon may be taken concurrently during other commercial seasons provided the green sturgeon catch does not exceed levels observed in past fisheries.✓ Commercial size limits are 48"-60" for white sturgeon and 48"-66" for green sturgeon.✓ Sport fishery regulations include; size limits of 42"-60" for white sturgeon and green sturgeon, one sturgeon per day and 10 sturgeon per year catch limits, and barbless hooks required. |
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- A variety of regulations regarding sturgeon retention in commercial fisheries were in effect during 2000-2002 fall fisheries.

- Prior to commencement of the 2003 commercial winter sturgeon season public meetings were held with the commercial fishing industry to develop a white sturgeon retention protocol for commercial fisheries.
- At the February 6, 2003 hearing, the Compact adopted a protocol regarding white sturgeon retention in Columbia River commercial fisheries during 2003-2005.

<i>Protocol For Management of White Sturgeon Retention in Commercial Fisheries During 2003-2005.</i>	
✓	Fisheries should be managed for white sturgeon catch expectations of 2,000 for the winter-summer timeframe (January-July), 2,000 for the early fall timeframe (August), and 3,600 for the late fall timeframe (September-October).
✓	Landings during SAFE fisheries are not to exceed 400 white sturgeon for the entire year with winter/spring/summer fisheries not to exceed 300.
✓	Allow some level of incidental sturgeon harvest to occur during all target salmon seasons.
✓	Conduct limited target sturgeon fisheries during winter and early fall timeframes if feasible.
✓	Conduct target sturgeon fisheries during October if necessary to access commercial allocation.
✓	Adopt white sturgeon possession and landing limits if necessary to remain within season specific catch expectation or to provide white sturgeon for harvest during subsequent salmon seasons.
✓	Until further discussion occurs with the OFWC and the WFWC regarding sturgeon allocation among individual commercial fishers, landings and possession limits will be in the form of per vessel limits and these limits will include both mainstem and Select Area fisheries.
✓	Joint Staff will conduct an annual post season evaluation of white sturgeon with industry.

- A public meeting was held on December 11, 2003 to discuss sturgeon catch in 2003 commercial fisheries, consider modifications to the currently adopted white sturgeon retention protocol, and discuss commercial sturgeon seasons for 2004.
- The public meeting resulted in general concurrence regarding the following white sturgeon commercial fishery and retention management strategies for 2004:
 - 1) The group recommended no changes to the currently adopted commercial white sturgeon retention protocol.
 - 2) The winter season should consist of five 24-hour fishing periods to begin in mid-January and end in mid-February.
 - 3) Fishery managers should modify fishing period lengths or adopt per vessel landing limits inseason to ensure that the fishery extends through mid-February.
 - 4) The winter sturgeon fishery should be managed for a catch of about 1,800 white sturgeon, which would provide 200 white sturgeon for the winter spring chinook fishery.
 - 5) During late fall fisheries a vessel landing limit of three per day did not fill market needs, while a vessel landing limit of nine per day exceeded market needs.

Smelt

- A Joint State Eulachon Management Plan has been in effect since 2001.
- The Joint State Eulachon Management Plan provides for three levels of fishing based on 1) parental run strength, 2) juvenile production, and 3) estimates of ocean productivity.
- During 2003-2004, smelt fisheries will be managed at Level Three in accordance with the Joint State Eulachon Management Plan.

Recommended Fisheries Contained in the Joint State Eulachon Management Plan

- Fishery recommendations apply to the January - March timeframe, otherwise permanent regulations remain in effect.

Level One

- ✓ Great uncertainty in run strength or indications of a poor return.
- ✓ Commercial fisheries are limited to one 12-24 hour fishing period per week for the Columbia and Cowlitz rivers.
- ✓ Tributary sport fisheries would also consist of one 12-24 hour fishing period per week in the Cowlitz River.

Level Two

- ✓ Promising abundance in the spawning return and productivity indices that are favorable, yet it is still uncertain whether the run is moderate or strong.
- ✓ Commercial fisheries would consist of two or three days per week in the Columbia and Cowlitz rivers.
- ✓ Tributary sport fisheries could be increased to two or three days per week.
- ✓ Consider expansion of sport and commercial fisheries into other lower Columbia River tributaries.

Level Three

- ✓ **Very positive indicators of strong abundance and productivity.**
- ✓ **Commercial fisheries would consist of up to four days per week in the Columbia River and all lower Columbia River tributaries.**
- ✓ **Tributary sport fisheries should be opened in all tributaries for four to seven days per week.**

STOCK STATUS

White Sturgeon

- The lower Columbia River white sturgeon population is healthy.
- Indicators for sublegal (<42") and oversize (>60") abundance remain good.
- During 1995-2001 abundance estimates for 42"-60" white sturgeon declined by an average of 4% annually.
- The abundance estimates for the 2002 and 2003 tag groups are not complete at this time.
- During 2003 catches in the lower Columbia River totaled 39,900 white sturgeon (8,000 commercial and 31,900 sport) and 78 green sturgeon.

<i>Estimated Abundance of Harvestable White Sturgeon in the Lower Columbia River, 1989-2001.</i>			
Year	Total Length Interval		
	42-48	48-60	42-60
1989	32,500	16,800	49,300
1990	26,100	12,000	38,100
1991	32,900	11,700	44,600
1992	59,900	8,700	68,600
1993	85,000	14,200	99,200
1994	N/A	N/A	N/A
1995	143,200	59,000	202,200
1996	131,700	33,500	165,200
1997	123,700	33,400	157,100
1998	161,600	24,700	186,300
1999	116,800	17,600	134,400
2000	119,200	17,000	136,200
2001	100,200	22,400	122,600

Smelt

- Population estimates are not available, but relative annual abundance may be indexed using landings and catch per unit effort (CPUE) data from commercial fisheries.
- Adult production in Columbia River tributaries, as indexed by commercial landing data, was poor during 1994-2000 but has been strong during 2001-2003.

- Commercial landing data for parent broods of the 2004 return indicate a moderate improvement in adult production in 2000 and large increases in adult production in 2001 and 2002.
- Based on larval sampling results, spawning success in the mainstem Columbia and Cowlitz rivers was good during 2002 and 2003.
- Improved ocean conditions are expected to benefit smelt returns in 2004, as was the case during 2001-2003.
- Large returns of other pelagic species and Columbia River salmonids plus the large smelt bycatch in Canadian shrimp fisheries suggest that the smelt return in 2004 should be large.
- Staff believes that Level Three fisheries would be appropriate for 2004.

FISHERY UPDATES

2003 Winter Commercial Sturgeon Fishery

- At the December 18, 2002 hearing the Compact adopted a winter target sturgeon season consisting of six 30-hour weekly fishing periods (noon Tues-6 PM Wednesday) during January 7-February 12.
- Additionally, the Compact adopted a 1,500 fish catch guideline for the winter sturgeon fishery to ensure that sturgeon would be available for the subsequent winter salmon season.
- Catches exceeded expectations with 1,162 white sturgeon landed during the first three fishing periods.
- At the January 24, 2003 hearing the Compact eliminated the final fishing period completely and reduced the remaining two fishing periods to 12-hour periods (6 AM-6 PM Tuesday) on January 28 and February 4.
- Catches again exceeded expectations with 328 white sturgeon landed on the fourth fishing period.
- The Compact met again on January 31, 2003 and eliminated the final fishing period scheduled for February 4.
- Landings during the winter target sturgeon season totaled 1,490 white sturgeon and 2 spring chinook.
- The 2003 winter fishery concluded with three salmon fishing periods occurring on February 17 (16 hours), February 19 (16 hours) and March 21 (10 hours), which resulted in landings of 27 white sturgeon and 3,046 spring chinook.
- A total of 1,517 white sturgeon and 3,048 spring chinook were landed during the 2003 winter mainstem fisheries.
- During the 2003 winter fishery, 98% (1,490 fish) of the white sturgeon and <1% (2 fish) of the spring chinook were landed during target sturgeon fishing periods.

2002-2003 Columbia River Commercial Smelt Fishery

- The standard 7-day per week season occurred from December 1 - 31, 2002.

- A Level Three fishery consisting of four 18-hour fishing periods (3 AM-9 PM every Sunday, Tuesday, Thursday, and Friday) per week, occurred during January 1-March 31, 2003.
- Significant smelt landings were observed in January for the second consecutive year.
- CPUE data indicated a bimodal peak with CPUE's reaching 1,260 smelt per delivery in mid-January and 4,350 smelt per delivery in late February.
- Participation was relatively low due to an influx of significant landings from the tributary commercial dip net fishery. Commercial landings totaled 66,900 pounds in the mainstem Columbia River.
- Smelt returned to the Lewis, Cowlitz, Grays, and Sandy rivers in 2003 and tributary landings totaled 1.1 million pounds.

2003-2004 Columbia River Smelt Fishery

- As per permanent regulations, the commercial fishery in the mainstem Columbia River is open seven days per week during December 1, 2003 through March 31, 2004 and sport fisheries in the mainstem Columbia River and Oregon tributaries are open seven days per week the entire year.
- Commercial landings to date have been small with some fishers participating.
- Water conditions to date have been similar to those observed in December 2002 with a low, warm, and clear river benefiting early smelt migration.
- During the first 17 days in December temperature has ranged between 43-45F°, flow has ranged between 120-160 kcfs, and visibility has ranged between 5-7 feet.

FISHERY PROPOSALS

2004 Winter Commercial Sturgeon Season

<i>Joint Staff Recommendation</i>		
<ul style="list-style-type: none"> • The Joint Staff recommends adoption of the following commercial sturgeon fishing periods in the mainstem Columbia River: 		
Season:	6 AM Tuesday January 13 – 6 AM Wednesday January 14	(24 hours)
	6 AM Tuesday January 20 – 6 AM Wednesday January 21	(24 hours)
	6 AM Tuesday January 27 – 6 AM Wednesday January 28	(24 hours)
	6 AM Tuesday February 3 – 6 AM Wednesday February 4	(24 hours)
	6 AM Tuesday February 10 – 6 AM Wednesday February 11	(24 hours)
Area:	Zones 1 - 5.	
Gear:	9" minimum and 9 ¾" maximum mesh size restrictions.	
Allowable Sales:	Sturgeon and adipose fin-clipped salmon.	
Sanctuaries:	Sandy River sanctuary.	
Expected Catch:	1,500-2,000 white sturgeon 50 spring chinook	
Miscellaneous:	Quick Reporting Rule in effect for Washington buyers.	

- ✓ The proposed fishery is designed to maximize economics while minimizing handle of chinook and steelhead.
- ✓ The winter season structure was initially developed in 1997 with input from commercial fishing industry representatives and the proposed season structure is similar to successful seasons in place during 1997-2003.
- ✓ Past winter sturgeon fisheries have been conducive to good marketing situations.
- ✓ The proposed season allows access to a portion of the commercial white sturgeon catch guideline while maintaining opportunity to access sturgeon throughout the remainder of 2004.
- ✓ The proposed fishery is consistent with results of December 11, 2003 public meeting.
- ✓ Reduced fishing seasons and period lengths are intended to allow fishery to occur from mid-January to mid-February and remain within the 2,000 fish catch guideline.
- ✓ Staff will monitor weekly landings and season adjustments will be considered at future Compact hearings as needed.
- ✓ Harvest and release mortalities of any ESA-listed salmonids are expected to be minor and will remain well within the guidelines set forth in the Biological Opinion.
- ✓ Salmon target seasons typically begin sometime after mid-February.

2003-2004 Columbia River Commercial Smelt Fishery

<i>Joint Staff Recommendation</i>	
<ul style="list-style-type: none"> • The Joint Staff recommends the adoption of the following commercial smelt fishing periods in the mainstem Columbia River: 	
Season:	Close ongoing 7-day per week fishery effective Wednesday January 1, 2004 and adopt a Level Three fishery consisting of four 18-hour weekly fishing periods on Sunday, Tuesday, Thursday, and Friday during January 1, 2004 through March 31, 2004. Open hours are 3 AM to 9 PM.
Area:	Zones 1-5.
Gear:	Gill net, dip nets, or trawls as per permanent regulations.
Participants:	Columbia River commercial fishers with appropriate licenses and legal gear.
Miscellaneous:	Quick Reporting Rule in effect for Washington buyers.

- ✓ Very strong abundance and productivity indices support a Level Three fishery.
- ✓ The proposed season is identical to season that was in place during 2003 and is the maximum allowed under Level Three fisheries described in the Joint State Eulachon Management Plan.
- ✓ Effort is expected to be low, as was the case in 2003.
- ✓ Low participation, in combination with fishery structure and large run size expectation, will nearly eliminate the possibility of the proposed fishery resulting in overexploitation of the return.
- ✓ The proposed fishery will be monitored inseason and modified as needed through emergency or scheduled Compact hearings.

Treaty Indian Sturgeon Fisheries

- Under permanent Compact rules a treaty Indian commercial setline season occurs from noon January 1, 2004 to noon January 31, 2004.
- The Sturgeon Management Task Force (SMTF) will meet on January 13 to review stock assessment updates, review management options (including harvest guidelines), and develop recommendations for subsequent Zone 6 sturgeon management in 2004.
- The report from the SMTF will be presented at a future Compact hearing.
- The current size limits for sturgeon caught for tribal subsistence and commercial purposes are 4'-5'.

<i>Treaty Indian Winter Season Proposal</i>	
Season:	Noon February 2, 2004-Noon March 21, 2004.
Area:	All of Zone 6.
Sanctuaries:	Standard river mouth and dam sanctuaries in effect except no Spring Creek sanctuary.
Gear:	No mesh size restrictions.
Allowable Sale:	Salmon, steelhead, walleye, shad, carp, and sturgeon between 4 and 5 feet in length.
Miscellaneous:	Sale of platform caught fish is allowed during open commercial gillnet seasons. Quick Reporting Rule in effect for Washington buyers.

FUTURE MEETINGS

- A Joint State meeting is scheduled for Wednesday, January 7, 2004 at 10 AM at the Water Resources Education Center in Vancouver, Washington to consider sport sturgeon fishing seasons in the mainstem Columbia River downstream of Bonneville Dam.
- The next Compact hearing is scheduled for Thursday, February 5, 2004 at 10 AM at the Museum of the Oregon Territory in Oregon City, Oregon to review salmon, steelhead, sturgeon, and smelt stock status; consider fishing options in the mainstem Columbia River and Select Areas; and consider miscellaneous regulations for Columbia River commercial fisheries.
- A Joint State meeting to consider spring chinook sport fisheries in the mainstem Columbia River is scheduled to occur immediately following the February 5, 2004 Compact hearing.

Oregon Department of Fish and Wildlife
Washington Department of Fish and Wildlife
December 19, 2003

Washington Tributary Smelt Fisheries

Commercial Fisheries

<i>Washington Tributary Commercial Fishery Recommendation</i>	
Season:	6 PM Sunday to 6 PM Tuesday and 6 PM Wednesday to 6 PM Friday from January 1, 2004 through March 31, 2004.
Area:	Cowlitz River (downstream of Peterson's Eddy), Kalama River (downstream of Modrow Bridge), and Lewis River (mainstem and North Fork downstream of overhead power lines near Eagle Island).
Gear:	Dip nets.
Miscellaneous:	Quick Reporting Rule in effect for Washington buyers.

Sport Fisheries

<i>Washington Tributary Sport Fishery Recommendation</i>	
Season:	6 AM to 10 PM daily from January 1, 2004 through March 31, 2004.
Area:	All Washington Columbia River tributaries.
Daily Limit:	20 pounds per person.

Washington Department of Fish and Wildlife
December 19, 2003